

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SHANTELLE HARDY, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

NIKKI JO HIBBLER,

Respondent-Appellant.

UNPUBLISHED

March 27, 2007

No. 272588

Kent Circuit Court

Family Division

LC No. 04-057864-NA

In the Matter of JAILYN JANET MITCHELL,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

NIKKI JO HIBBLER,

Respondent-Appellant,

and

ANTHONY MITCHELL,

Respondent.

No. 272589

Kent Circuit Court

Family Division

LC No. 05-050875-NA

In the Matter of CERVANTES MITCHELL,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

NIKKI JO HIBBLER,

Respondent-Appellant,

and

ANTHONY MITCHELL,

Respondent.

No. 272590
Kent Circuit Court
Family Division
LC No. 05-053369-NA

Before: Zahra, P.J., and Bandstra and Owens, JJ.

PER CURIAM.

Respondent Nikki Jo Hibbler appeals as of right from the trial court's order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (c)(ii), and (g). We affirm.

The trial court obtained temporary custody of Shantelle and Jailyn in May 2005. Respondent was then 17 years old and the subject of a separate proceeding in which she was a court ward. The children were placed with their maternal great-grandmother in Petoskey. The youngest child, Cervantes, was subsequently born on August 29, 2005. Respondent and her boyfriend, Anthony Mitchell, the father of Jailyn and Cervantes, continued working on a parent agency agreement, but progress was slowed by respondent's hospitalization for the last seven weeks of her pregnancy with Cervantes. Respondent was required to obtain counseling, take parenting and budgeting classes, work with an infant-toddler specialist, enroll in high school or GED classes, attend visitations, and obtain suitable housing and employment.

Respondent only partially complied with the above goals. She delayed in beginning counseling and later failed to inform her caseworker that her counselor went on medical leave. The counselor found that respondent did not understand why the children entered care and lacked motivation to improve her lifestyle. Similar findings were made by the caseworker and infant-toddler specialist. Respondent failed to complete a second parenting class recommended by the caseworker. She never obtained appropriate housing, living either with her boyfriend and his mother, whose apartment was too small, or with her father, who had been substantiated by Children's Protective Services (CPS) for failure to protect. Respondent's boyfriend, Mitchell, repeatedly tested positive for marijuana and cocaine, but respondent continued to live with him and failed to acknowledge that he had a drug problem. Respondent's participation in visitations was inconsistent. She frequently came late or missed visits, and declined opportunities for extended visitations and even an invitation to live with the children at her grandmother's house.

Although respondent had a good bond with the children and was generally appropriate with them, she often let her stepmother take over at visitations that the stepmother attended. She waited until late in the case to begin regular counseling, obtain a job, and look for an apartment. The improvements she made were too little, and came too late. The children were very young and needed stability and permanence. We find no clear error in the trial court's determination that termination of respondent's parental rights was not clearly contrary to the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000).

Affirmed.

/s/ Brian K. Zahra

/s/ Richard A. Bandstra

/s/ Donald S. Owens